

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ABBOTT BIOTECHNOLOGY LTD. and :
ABBOTT LABORATORIES, :

Petitioners, :

- against - :

THE MATHILDA AND TERENCE KENNEDY :
INSTITUTE OF RHEUMATOLOGY TRUST :
and CENTOCOR ORTHO BIOTECH, INC., :

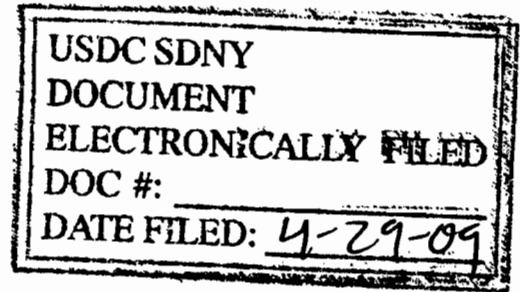
Respondents. :

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CHIN, District Judge

Petitioners Abbott Biotechnology Ltd. and Abbott Laboratories (collectively, "Abbott") move, pursuant to 9 U.S.C. § 9, to confirm an arbitration award. The arbitration took place among the Mathilda and Terrence Kennedy Institute of Rheumatology Trust ("Kennedy"), Centocor Ortho Biotech, Inc. ("Centocor"), and Abbott. The arbitrator issued his award on March 13, 2009 (the "Award").

Generally, an arbitration award is confirmed through a summary proceeding that converts a final arbitration award into a judgment of the court. Yusuf Ahmed Alghanim & Sons, W.L.L. v. Toys "R" Us, Inc., 126 F.3d 15, 23 (2d Cir. 1997); Florasynth, Inc. v. Pickholz, 750 F.2d 171, 176 (2d Cir. 1984). A district court must grant a petition to confirm an arbitration award unless one of the grounds for vacating or modifying the award is established. Ottley v. Schwartzberg, 819 F.2d 373, 377 (2d Cir. 1987). Here, both Kennedy and Centocor have informed the Court



in writing that they do not oppose confirmation of the Award.
Accordingly, the Award is confirmed.

A copy of the Award will be filed under seal, at the
request of the parties.

The Clerk of Court is directed to enter judgment
confirming the Award and to close the case.

SO ORDERED.

Dated: New York, New York
April 29, 2009



DENNY CHIN
United States District Judge